6466. Adulteration and misbranding of evaporated apples. U. S. * * * v. 275 Boxes * * * of Evaporated Apples and 230 Boxes of Evaporated Apples. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 8745, 8746. I. S. Nos. 8142-p, 8143-p. S. No. C-799.)

On January 26, 1918, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 275 boxes and 230 boxes of evaporated apples remaining unsold in the original unbroken packages at Ardmore, Okla., alleging that the article had been shipped on or about October 24, 1917, by A. C. Hamilton & Co., Fayetteville, Ark., and transported from the State of Arkansas into the State of Oklahoma, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, " Ulster Brand Evaporated Apples. Packed by A. C. Hamilton & Co., Fayetteville, Ark."

Adulteration of the article in each shipment was alleged in the libels for the reason that water had been added and mixed therewith so as to reduce, lower, and injuriously affect its quality or strength, and had been substituted in part for evaporated apples.

Misbranding of the articles was alleged for the reason that they were labeled and branded so as to deceive and mislead the purchaser into the belief that the product consisted entirely of evaporated apples, whereas examination showed the presence of added water.

On March 2, 1918, the said A. C. Hamilton & Co., Fayetteville, Ark., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of $500 in each case, in conformity with section 10 of the act.

                    J. R. Riggs, *Acting Secretary of Agriculture.*